

**IN THE UNITED STATES DISTRICT COURT FOR**  
**THE EASTERN DISTRICT OF PENNSYLVANIA**

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MARK I RESTORATION SVC, : CIVIL ACTION  
: :  
: Plaintiff, :  
: : NO. 02-3729  
vs. :  
ZURICH (properly ASSURANCE :  
COMPANY OF AMERICA), :  
: :  
Defendant. :  
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**ORDER**

AND NOW, this \_\_\_\_ day of \_\_\_\_\_, 2002, upon consideration of Defendant, Assurance Company of America's Motion to Dismiss the Plaintiff's Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6), and any response thereto, it is hereby ORDERED that said motion is GRANTED.

It is further ORDERED that Plaintiff's Complaint is hereby dismissed with prejudice.

**BY THE COURT:**

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**J.**